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1/31/03

Atty. Docket No.: 3284/1230

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

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JAN 30 2003

Application of:	Habener et al.	Examiner:	Wehbe, A.
Serial No.:	09/731,261		
Filed:	December 6, 2000	Group Art Unit:	1632
Titled:	Stem Cells of the Islets of Langerhans and Their Use In Treating Diabetes Mellitus	Conf. No.:	9060

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Elizabeth N. Spar

Name of Person Faxing

Elizabeth N. Spar

Signature of Person Mailing Paper

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement dated September 24, 2002, Applicants elect **Group II, Claims 19 – 29** drawn to isolated nestin positive stem cells, methods of isolating nestin positive stem cells, and methods of differentiating said cells to pancreatic progenitor cells, for prosecution on the merits, with traverse.

This Response is being filed concurrently with a Petition for Extension of time and requisite fees are being submitted herewith. However, should any additional fees be required to ensure consideration of this response, the Commissioner is authorized to charge Deposit Account 16-0085, Reference No. 3284/1230.

Date: January 23, 2003

Respectfully submitted,

Elizabeth N. Spar Reg #45, 123 for

Name: Kathleen M. Williams

Registration No.: 34,380

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111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100



Atty. Docket No.: 3284/1230

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Serial No.:	09/731,261		
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Kathleen M. Williams

Name of Person Mailing Paper

Kathleen M. Williams

Signature of Person Mailing Paper

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

This paper is supplemental to our filing of December 6, 2000. Applicants believe that no fee is due with this filing; however, please charge any necessary fees required in connection with the paper transmitted herewith to Deposit Account No. 16-0085, Reference No.: 3284/1230.

AMENDMENT

In the Specification

On page 1, line 13 of the specification, please insert the following paragraph after the title of the Application:

B1
This invention was made with Government support under Contract # K08DK02476, DK30457 and DK30834 awarded by the National Institutes of Health. The Government has certain rights in this invention.

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